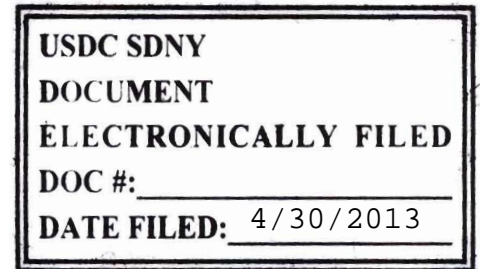


FISHMAN HAYGOOD PHELPS
WALMSLEY WILLIS & SWANSON, L.L.P.

201 ST. CHARLES AVENUE
46TH FLOOR
NEW ORLEANS, LOUISIANA 70170-4600
(504) 586-5252
FAX (504) 586-5250

JAMES R. SWANSON
(504) 586-5267 DIRECT
JSWANSON@FISHMANHAYGOOD.COM

April 30, 2013



File No. 2585-1

VIA EMAIL (Furman NYSDChambers@nysd.uscourts.gov):

The Honorable Jesse M. Furman
United States District Judge
Southern District of New York
40 Centre Street
Room 2202
New York, NY 10007

Re: *Citigroup Global Markets, Inc. v. North Carolina
Eastern Municipal Power Agency,*
No. 13-cv-1703 (S.D.N.Y.) (JMF)(DCF)
Request for Extension of Time to File Responsive Pleadings

Dear Judge Furman:

Defendant North Carolina Eastern Municipal Power Agency ("NCEMPA") respectfully files this request for a 6 calendar day extension of time to file responsive pleadings in the above-captioned case, from Saturday, May 4, 2013¹ until Friday, May 10, 2013.

On April 29, 2013, Defendant North Carolina Eastern Municipal Power Agency ("NCEMPA") sent a pre-motion letter to Defendant Citigroup Global Markets, Inc. ("Citi"), pursuant to Rule 3.B of your individual practices, indicating that it intended to file a motion to dismiss for improper venue or, alternatively, to transfer venue to the Eastern District of North Carolina. Pursuant to your rules of practice, Citi has seven calendar days to respond to the letter. Accordingly, NCEMPA does not expect to receive Citi's response prior to May 6, 2013, the date when responsive pleadings in the above-captioned matter are currently due.

Additionally, the parties are presently scheduled to have oral argument on Citi's motion for preliminary injunction on May 3, 2013, the day before responsive pleadings are due.

Accordingly, so that NCEMPA can receive and respond to any amendments, reasons, or controlling authority contained in plaintiff's Rule 3.B letter, and because of the conflicting oral argument, NCEMPA asks that this court grant it a one-week extension of time to file responsive

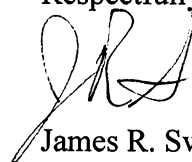
¹ As a result of FRCP Rule 6(a)(1)(C), responsive pleadings would currently be due Monday, May 6, 2013.

April 30, 2013
Page 2

pleadings from May 4, 2013 until May 10, 2013.

The original deadline to file responsive pleading was April 4, 2013. There has been one 30-day extension to this deadline, until May 4, 2013, which was granted on March 21, 2013 during a telephone conference. *See* Docket No. 10. Undersigned counsel has contacted counsel for Citi, and they have consented to the requested relief.

Respectfully submitted,



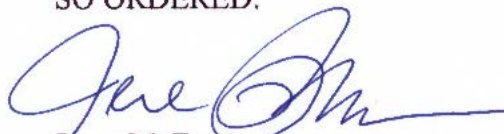
James R. Swanson

JRS/sm

cc: All Counsel of Record (*By Email*)

Application GRANTED.

SO ORDERED.



Jesse M. Furman
United States District Judge

April 30, 2013